

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 23<sup>rd</sup> day of February, 2009 the City Council of the City of Aransas Pass convened in a Special Called Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor  
Jay Attaway, Mayor Pro Tempore  
Vickie Abrego, Council Member  
Frank Hametner, Council Member  
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE  
PERSONNEL PRESENT: K. M. Hubert, City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines, Asst. Police Chief/Harbormaster  
Don Brummett, Acting Public Works Director  
Frank Truitt, City Inspector  
Rickie Kilgore, Fire Chief

OTHERS PRESENT: Jeanie Brummett, H.E. & Joyce Naumann, Judy & Don Vlasek, Judith & Tim Freed, Rick Johnson, Cathy Johnson, Carol Wuef, Dorothy Sykes, James Sykes, Mary Berkenkotler, Phil & Nell Reynolds, Goldston James, Jo Ann Biek, Ellie Block, Jilanda Hartwell, Wayne White, Dee & Johnny Metler, Eva Young

*There may have been others present who did not sign in.*

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on February 23, 2009.

**ITEM 2. CONSIDER AND ACT ON REQUEST OF BRUCE GAMBILL FOR A CONDITIONAL USE PERMIT TO KEEP TWO NIGERIAN DWARF GOATS AT 1415 W. PALM DRIVE.**

City Manager Kandi Hubert stated she had spoken to the City Attorney and unless the City Council changed the Ordinance, the request could not be approved.

City Attorney Allen Lawrence stated that was correct. He stated under the conditions, Council would probably grant the request but unfortunately the Ordinance does not provide for a Conditional Use Permit and Mr. Gambill does not comply with the restrictions of the present Ordinance (*Sec. 4-26. Same--Proximity of authorized pen or enclosure to structure of another. No pen, stall or other facility used for keeping livestock as authorized by a permit issued under this article shall be so located as to allow the livestock confined therein to come within seventy-five (75) feet of the exterior limits of any structure used as a residence or business, other than a structure used as a residence or business by the holder of the permit. (Ord. No. 1392, § 7, 8-18-69; Ord. No. 2035, § 1, 5-19-80)).*

Evan Gambill stated his brother, Bruce Gambill, was their father’s primary caretaker. He stated his brother suffered from chronic lymphocytic leukemia and requested to keep the goats for their milk. He stated the neighbors did not object to the goats. He spoke on the benefits of goat’s milk from goats that are fed cottonseed and cottonseed oil, citing references to several scientific studies that cited the goat’s milk increased white blood count in persons with chronic lymphocytic leukemia.

Mayor Knight stated he and the Council sympathized with Mr. Gambill and his brother but the Council could not circumvent the ordinance.

Council Member Hametner suggested a variance from the Board of Adjustments might allow Mr. Gambill to keep the goats at his residence.

The City Attorney stated he did not think that was the Board of Adjustments' function. The Board of Adjustments was concerned primarily with lot lines, setback lines, and exceptions from building standards.

Other options to solve the location of the goats were discussed by the Council.

Council Member Mayer made the motion to deny the request of Bruce Gambill for a Conditional Use Permit to keep two Nigerian Dwarf goats at 1415 W. Palm Drive. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 3. ADJOURNMENT OF MEETING.**

Council Member Hametner made the motion to adjourn the meeting. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:18 p.m.

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Tommy Knight, Mayor

ATTEST:

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Ada Owens, City Secretary